

### Remarks

The Applicants note with appreciation the discussion with the Examiner concerning the fact that Claims 7 – 10 have previously been added by Preliminary Amendment. The Applicants also note with appreciation the Examiner's cooperation with respect to examining all of Claims 1 – 10 in the case and an election between two diseases or conditions taken from Claim 8.

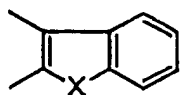
In an effort to simplify future prosecution, the Applicants have cancelled all of Claims 1 – 10 and substituted new Claims 11 – 19. New Claim 11 is substantially modeled on original Claim 1 except that it is now characterized as a method of treating nausea and vomiting. New Claims 12 – 16 are the same as original Claims 2 – 6, respectively, except that they are now method claims and depend from Claim 11.

New Claim 17 is the same as original Claim 8 except that it depends from new Claim 11.

New Claim 18 identifies postoperative sequelae from the Markush group of Claim 17. Claim 19 identifies gastrointestinal dysfunction from the Markush group of Claim 17.

The Applicants note for the record that the subject matter of Claims 18 and 19 are elected herein, namely the Applicants elect postoperative sequelae and gastrointestinal dysfunction as the two diseases/conditions. Confirmation of this election is respectfully requested.


The Applicants believe that they have fully complied with the spirit of the recent discussion with the Examiner and the Official Action of January 5, 2006. In the event that structural elections are required, the Applicants elect the -Q-moiety as follows:



The Applicants elect the -X-moiety as NR<sup>7</sup>.

The Applicants respectfully request examination on the merits.

Respectfully submitted,



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